

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

STANLEY SIMMONS,	)	CIVIL ACTION NO. 4:15-02618-JMC
	)	
Plaintiff,	)	
	)	
vs.	)	<b>ORDER</b>
	)	
CAROLYN W. COLVIN,	)	
ACTING COMMISSIONER	)	
OF SOCIAL SECURITY,	)	
	)	
Defendant.	)	
_____	)	

This matter is before the court upon motion of Plaintiff, through his attorney, Robertson Wendt, for an award of attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C § 2412. (ECF No. 21.) Plaintiff's motion seeks reimbursement for Robertson Wendt's and Sarah Bohr's representation in the above-captioned matter in the total amount of \$5,767.31 in attorney's fees at a rate of approximately \$190.00 per hour for about thirty hours. (*Id.*) Additionally, Plaintiff requests reimbursement of his filing fee in the amount of \$400.00. Defendant did not file a response to Plaintiff's motion. However, on June 7, 2016, the parties filed a stipulation for attorney's fees and costs indicating that the parties agreed to an EAJA award of **\$5,600.00** in attorney's fees and costs in the amount of **\$400.00**. (ECF No. 22.)

The court has reviewed Counsel's fee petition and the joint stipulation that was submitted by the parties, and finds Counsel's stipulated request for fees reasonable.

Therefore, Plaintiff is entitled to an award of attorney's fees under the EAJA in the stipulated amount of **\$5,600.00** in attorney's fees. The award of attorney's fees shall be paid under the EAJA in the amount of **\$5,600.00**. The court further finds that Plaintiff is entitled to an award of **\$400.00** for

reimbursement of court costs.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586, 596-97 (2010), EAJA fees awarded by this court belong to the litigant, thus subjecting EAJA fees to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(A)(i)) and, therefore, the court directs that fees be payable to Plaintiff and delivered to Plaintiff's counsel.

**IT IS SO ORDERED.**

A handwritten signature in black ink that reads "J. Michelle Childs". The signature is written in a cursive, flowing style.

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J. Michelle Childs  
United States District Judge

August 2, 2016  
Columbia, South Carolina